

REMARKS

I. Claim Status

Claims 98-120 are currently pending. Claims 61-97 have been canceled herein without prejudice. Claims 98-115 have been amended to correct the dependency from a canceled claim. Claim 120 has been added herein. That claim finds support in the specification as originally filed at, for example, p. 29, lines 1-8; p. 31, lines 5-11; p. 68 (compounds 18 and 19); p. 70 (compounds 22 and 23); and p. 72 (compounds 25 and 26). Accordingly, no new matter is added.

II. Indefiniteness Rejection

The Office rejected claims 61-67 and 71-119 under 35 U.S.C. § 112, second paragraph as being indefinite "since it is unclear how the PHG groups are bound to the XYZ-C(O) group." (Non-final Office Action dated March 8, 2010 ("Office Action"), p. 2.)

Without in any way conceding the propriety of this rejection, Applicants have canceled the claims that include the language and chemical structures objected to by the Office. Applicants cancel those claims without prejudice and reserve the right to pursue them in continuation applications because they are definite and fully supported in the specification. However, solely in an effort to expedite prosecution of the current application, Applicants have deleted the rejected language and structures. As a result, this rejection is rendered moot.

III. Written Description Rejection

The Office rejected claims 61-82, 84-96, 98-101, and 116-119 under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. (Office Action, p. 5.) Claims that included claim language objected to by

the Office have been canceled herein without prejudice. As a result, this rejection is moot and should be withdrawn.

IV. Novelty Rejections

The Office rejected claims 61, 87, 98-101, 104, 112-114, and 116-119 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,151,534. (Office Action, p. 6.)

U.S. Patent No. 5,151,534 does not disclose each and every claim limitation of the presently pending claims. As a result, the currently pending claims are novel over U.S. Patent No. 5,151,534, and this rejection should be withdrawn.

The Office rejected claims 61 and 87 under 35 U.S.C. § 102(b) as being anticipated by Johnson et al. (*J. Am. Chem. Soc.* (1957) 79:753-54) ("Johnson"). (Office Action, p. 7.)

Johnson does not disclose each and every claim limitation of the presently pending claims. As a result, the claims are not anticipated and this rejection should be withdrawn.

Conclusion


In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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